

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231,

Atty. Docket No. DX0744K

on September 8, 1998

By: Lois E. Miller  
Lois E. Miller



*0240*  
*SECRET*  
*#3/aa Box 500*  
*0300*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Karin FRANZ-BACON, et al.

Serial No.: 09/099,898

Filed: June 18, 1998

For: MAMMALIAN GENES; RELATED REAGENTS

Examiner: not yet assigned

Art Unit: 1642

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION -  
FILING DATE GRANTED

Palo Alto, California 94304

September 8, 1998

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the United States Patent and Trademark Office on July 9, 1998, enclosed are the following to be made of record in the above-identified application:

1. Declaration and Power of Attorney signed by inventors Karin Franz-Bacon, Daniel M. Gorman and Terrill K. McClanahan, in compliance with 37 CFR 1.63;
2. Copies of the "Notice to File Missing Parts of Application - Filing Date Granted"; and,
3. A Response to the Notice to Comply with Sequence Rules pursuant to 37 CFR 1.821-1.825.

09/16/1998 SCARMICH 00000065 041238 00000000  
01 FC:101 790.00 CH  
02 FC:105 130.00 CH

*AC*

Please charge the total of \$920.00, as calculated below, to  
DNAX Research Institute Deposit account no. 04-1239:

Fee for filing Missing Parts of Application		
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	18 - 20 =	0*
INDEP CLAIMS	3 - 3 =	0*
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED		
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.		

	\$130.00
RATE	FEE
	\$790.00
x22=	\$ 0
x78=	\$ 0
+250=	\$ 000
TOTAL	\$920.00

The Commissioner is hereby authorized to charge any  
5 additional fees associated with this paper or during the pendency  
of this application, or credit any overpayment to DNAX Research  
Institute Deposit Account No. 04-1239.

Please telephone the undersigned at (650) 852-9196, if there  
are any questions. This form is being submitted in duplicate.

Respectfully submitted,

September 8, 1998

By: Edwin P. Ching  
Edwin P. Ching  
Attorney for Applicants  
Reg. No. 34,090

DNAX Research Institute  
901 California Avenue  
Palo Alto, California, 94304-1104  
Tel. No. (650) 852-9196  
Fax No.: (650) 496-1200

Enclosures:

- 1) Copy of this Transmittal (in duplicate)
- 2) Declaration and Power of Attorney signed by inventors
- 3) Copy of Notice to File Missing Parts
- 4) Response to the Notice to Comply with Sequence Rules
- 5) Return postcard

aa



PATENT/DX0744K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Franz-Bacon et al.,  
Serial No.: 09/099,898  
Filed: 18-JUN-1998

Examiner: Unassigned  
Art Unit: 1642

SEQUENCE SUBMISSION

Titled: MAMMALIAN GENES;  
RELATED REAGENTS

Palo Alto, California 94304

September 8, 1998

5

COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES

10 Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

15 In response to receipt of a "Notice to Comply with Requirements for  
Patent Applications containing Nucleotide and/or Amino Acid Sequences" for  
the above-identified application of 09-JUL-1998, the time for filing a timely  
response being 09-SEP-1998, Applicants submit herewith, as required under 37  
CFR §1.821(c) and (e): (1) a write protected diskette containing an initial computer  
20 readable submission for the "Sequence Listing," and (2) a "Sequence Listing"  
paper printout of the contents of the diskette.

25

I hereby certify under 37 CFR 1.8(a) that this  
correspondence is being deposited with the United  
States Postal Service as **first class mail** with  
sufficient postage on the date indicated below  
addressed to: ASSISTANT COMMISSIONER FOR  
PATENTS, BOX MISSING PARTS,  
WASHINGTON, D.C. 20231 .

Date of Deposit September 8, 1998

By: E. E. Miller  
Eois E. Miller

aa.

### REMARKS

Enclosed is a write protected floppy diskette containing the sequence listing generated by the Patent Office's "PATENTIN" program. The diskette should comply with the requirements of 37 CFR §1.824 and is IBM PC compatible with a PC-DOS/MS-DOS operating system. If the diskette has been damaged, please contact Applicant and a replacement diskette will be provided. A paper readable copy of the diskette is attached hereto.

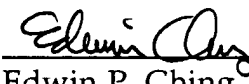
I hereby state that the informational content of the paper and computer readable copies of the sequence listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are believed to be the same. Thus, this submission should introduce no new matter, since the enclosed sequences should be the same as sequences submitted in priority documents.

The enclosed items are a bona fide effort to bring the present application into full compliance with the rules for sequence submissions. Applicants have invested over three hours of significant labor and care in preparing the present submission. Should there be any question regarding the sufficiency of this submission to comply with the rules for sequence submissions, Applicants respectfully request notification of specific deficiencies and an opportunity for remedy, under 37 CFR §1.135(c).

Applicants believe that no fees are required. If, however, this calculation is in error, the Commissioner is authorized to charge any fee or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Respectfully submitted,

Dated: September 8, 1998

  
Edwin P. Ching  
Reg. No. 34,090

Enclosures and attachments:  
one write-protected diskette (CRM)  
paper copy of contents of diskette

DNAX Research Institute  
901 California Avenue  
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